

COPY

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Case No. A107100

**COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FIRST APPELLATE DISTRICT, DIVISION FOUR**

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, A California  
nonprofit religious corporation,

Plaintiff and Petitioner,

vs.

GERALD ARMSTRONG, an individual,  
Defendant and Respondent.

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, A California  
nonprofit religious corporation,

Plaintiff and Petitioner,

vs.

SUPERIOR COURT OF THE STATE  
OF CALIFORNIA, COUNTY OF  
MARIN,

Respondent.

GERALD ARMSTRONG,

Real Party in Interest.

Marin County Superior Court Case No.  
157680.

**APPLICATION FOR EXTENSION OF  
TIME TO FILE RESPONDENT'S  
BRIEF AND TO FILE OPPOSITION  
TO PETITION FOR WRIT OF  
CERTIORARI OR, IN THE  
ALTERNATIVE, WRIT OF  
MANDATE**

Appeal Case No. A107100  
[Consolidated with Case No. A107095]

**FILED**

OCT 22 2004

Court of Appeal - First App. Dist.  
DIANA HERBERT

by \_\_\_\_\_  
DEPUTY

Superior Court of the State of California,  
County of Marin Case No. CV 021632,  
Consolidated with Case No. 157680/  
152229

Gerry Armstrong  
#1-45950 Alexander Avenue  
Chilliwack, B.C. V2P 1L5  
CANADA  
(604)703-1373  
[gerry@gerryarmstrong.org](mailto:gerry@gerryarmstrong.org)

In Propria Persona

By the Court

So Ordered

Extension of time is Denied  
NOV 22 2004

Granted to NO FURTHER.  
KAY, P.J.

OCT 25 2004

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Gerry Armstrong  
#1-45950 Alexander Avenue  
Chilliwack, B.C. V2P 1L5  
CANADA  
(604)703-1373  
[gerry@gerryarmstrong.org](mailto:gerry@gerryarmstrong.org)

In Propria Persona



October 20, 2004

Clerk California Court of Appeal  
First Appellate District, Division Four  
350 McAllister Street  
San Francisco, CA 94102-3600  
U.S.A.

Re: **Scientology v. Armstrong**  
**Case Number A107100**

**By Federal Express**

Dear Sir/Madam:

Please find herewith the original and a copy of the face page of the following document entitled:

**APPLICATION FOR EXTENSION OF TIME TO FILE RESPONDENT'S BRIEF  
AND TO FILE OPPOSITION TO PETITION FOR WRIT OF CERTIORARI OR,  
IN THE ALTERNATIVE, WRIT OF MANDATE**

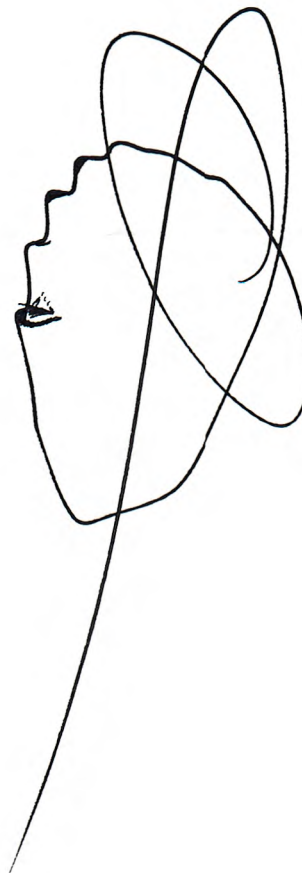
Please file the original, file stamp the copy of the face page and return in the enclosed self-addressed stamped envelope.

If you have any questions, please call or e-mail me.

Thank you for your service.

Yours sincerely,

Gerry Armstrong  
#1-45950 Alexander Avenue  
Chilliwack, B.C. V2P 1L5  
Canada  
Tel: 604-703-1373  
e-mail [gerry@gerryarmstrong.org](mailto:gerry@gerryarmstrong.org)

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long trailing line extending downwards.

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, A California  
nonprofit religious corporation,

Plaintiff and Petitioner,

vs.

GERALD ARMSTRONG, an individual,  
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CHURCH OF SCIENTOLOGY  
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SUPERIOR COURT OF THE STATE  
OF CALIFORNIA, COUNTY OF  
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Respondent.

GERALD ARMSTRONG,

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Marin County Superior Court Case No.  
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**APPLICATION FOR EXTENSION OF  
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Appeal Case No. A107100  
[Consolidated with Case No. A107095]

Superior Court of the State of California,  
County of Marin Case No. CV 021632,  
Consolidated with Case No. 157680/  
152229

**To the Presiding Justice:**

Pursuant to Rule 15(b)(2) of the California Rules of Court, Gerry Armstrong,  
respondent and real party in interest, hereby applies for an extension of thirty days until  
November 21 to file his respondent's brief in Case No. A107100 and to file his  
opposition in Case No. A107095.

/



This application is based on the declaration of Gerry Armstrong that follows.

October 20, 2004

Respectfully submitted:

\_\_\_\_\_  
Gerry Armstrong

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

**DECLARATION OF GERRY ARMSTRONG**

I, Gerry Armstrong, declare as follows:

1. I am the respondent and real party in interest herein. I am over the age of eighteen. I have personal knowledge of the facts stated herein and could competently testify concerning these facts if so required.
2. It is not possible for me to complete and file my respondent's brief and opposition to Scientology's writ petition by their due date, October 22, 2004, and I require a thirty-day extension of time in which to file said brief and opposition.
3. On October 15, I e-mailed a letter to Andrew Wilson, attorney for appellant and petitioner herein, requesting that he stipulate to such extension, and on October 16 I faxed Mr. Wilson the same letter and a proposed stipulation for his signature. A true and correct copy of said letter and proposed stipulation are appended hereto as Exhibit A. I followed up my e-mail and fax letter with telephone calls to Mr. Wilson's office on October 18 and 19 and today. During all three calls, I spoke to a person in Mr. Wilson's office, and gave her my name. In the first two calls, I gave the person my telephone number for Mr. Wilson to call me in response. In the call today, she connected me to Mr. Wilson's voice mail and I left a message for him.

4. I have received no response, by e-mail, fax or telephone from Mr. Wilson.

This is not unusual or unexpected, because Mr. Wilson has many times in the litigations between us over the past thirteen years not responded to usual communications in routine matters such as this routine request to stipulate to an extension. In the unlikely event that Mr. Wilson would not receive my e-mailed and faxed letter, on October 17 I also e-mailed my letter to David Miscavige, the person who runs Scientology and controls all aspects of Scientology's legal activities including this appeal and writ petition. I have also not received a reply from Mr. Miscavige. I cannot wait longer for Mr. Wilson or Mr. Miscavige to respond to my letters and stipulate to an extension because I must file this application before the brief and opposition are due.

5. There have not been previous applications granted or denied to any party after filing of the notice of appeal.

6. The good cause for the grant of this application is as is provided in my letter of October 15 to Mr. Wilson, Ex. A hereto. I will restate these reasons here to explain certain things that might not be known or obvious to this Court.

7. I am not a lawyer, have no legal help, and it is neither easy nor quick for me to generate the required responses to Scientology's legal filings from all the legal help it has. I am in forma pauperis, without any funds whatsoever, and must try to borrow funds just to make the necessary photocopies to file and bind my brief and opposition and the appendixes thereto.

8. At the same time, it is not possible or safe for me to stop my ministerial duties, which are vital and extremely time consuming. The demand of these duties on my time has not decreased at all while I have also had to prepare my brief and writ opposition, but



the demand of these duties on my time has increased dramatically over the past month or more.

9. I am the founder and head of the Church of Wogs (“CoW”), a global faith dedicated to protecting wogs from Scientology defamation and persecution. “Wogs” is the term organization founder L. Ron Hubbard used and Scientologists still use for non-Scientologists, and is a racial epithet, both inside and outside Scientology, equivalent to “niggers.” I am a wog, and there are over six billion wogs in the world, which Hubbard and Scientology in fact call the “wog world.” My words about Scientology and wogs are religious expressions of my religious beliefs and constitute CoW’s religious scripture. Wogs as communicants contact me constantly for ministration in relation to Scientology persecution, and my ministry is to minister to such wogs and to oppose and stop such persecution. Over the past couple of months, there has been a significant increase of wogs seeking my ministrations, both as a result of apparent globally increasing awareness of Scientology persecution and the persecution itself increasing in response to such spreading awareness. Many wogs who are victims of Scientology persecution or otherwise seek ministration contact me through web sites I maintain, which is an essential part of my ministry. The URLs for said web sites are: <http://www.gerryarmstrong.org>, <http://www.suppressiveperson.org>, <http://www.carolineletkeman.org>.

10. Caroline Letkeman is my wife, also a target of Scientology persecution, and also a minister in the Church of Wogs. It is simply impossible for us to stop our ministerial duties while I prepare the necessary papers in response to Scientology’s appeal and petition, so I must balance the time demands of these activities, and require more time from this Court as requested.

11. Scientology's "scriptures" teach that there is a class of wogs denominated "Suppressive Persons or "SPs," who are the most evil people in the world, destructive, criminal, irredeemable, and deserving no mercy or rights. Hubbard called Scientology's policy for treatment of SPs "Fair Game," and provided examples and types of Fair Game to be applied to SPs in various policy letters or directives. E.g. in his policy letter "Penalties for Lower Conditions, Hubbard wrote: ENEMY — SP Order. Fair game. May be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued or lied to or destroyed."

Scientology's Fair Game policy has been condemned by a number of courts, including the California Court of Appeal. E.g., Wollersheim v. Scientology (1989) 212 Cal.App.3d 872, 888); Scientology v. Armstrong (1991) 232 Cal.App.3d 1060, 1067) Scientology declared me to be a "Suppressive Person" right after I left the organization in December 1981 and has considered me an SP and Fair Gamed me ever since. I have studied Scientology for thirty-five years and have acquired a great deal of knowledge of and experience in this field, particularly concerning the "Suppressive Person doctrine" and the philosophy, methodologies and application of, and defense to, Fair Game. I am a co-founder of the Suppressive Person Defense League ("SPDL"), the preeminent institution worldwide elucidating the Suppressive Person doctrine. I have written or contributed to much of the literature on the SP doctrine, and presented papers on the doctrine in a number of countries and at a number of conferences. Scientology is an extremely wealthy global enterprise organized pursuant to its Suppressive Person doctrine to carry out attacks on people declared Suppressive Persons like me, and employing its own personnel and hired agents for that purpose. Scientology's actual intentions and strategy



in the organization's war on Suppressive Person wogs are revealed in a number of directives or "scriptures" written by Hubbard. E.g., in his policy letter entitled "Battle Tactics," Hubbard wrote:

If you uniformly apply the tactics and strategy of battle to the rows we get into, press or legal or public confrontation, you will win. ... But there are also wars of attrition. We are engaged in one where total destruction of us has been the enemy's aim for, at this writing, 19 years. This is barbarian warfare, thus the enemy must have had very positive fears and terrors about us. Since he fought for total attrition. In this case it is not safe to hope for any half way win. We must ourselves fight on a basis of total attrition of the enemy. So never get reasonable about him. Just go all the way in and obliterate him. It is bad warfare to fight battles on your own terrain, in your own subject area. It is not good to fight in the territory of allies. Fight battles wherever possible only on enemy terrain, in and about his subject and his people, not ours. You can gauge your relative success by this. When all your battles are fought on his terrain, you are winning. A good general expends the maximum of enemy troops and the minimum of his own. He makes the war costly to the enemy, not to himself. One cuts off enemy communications, funds, connections. He deprives the enemy of political advantages, connections and power. He takes over enemy territory. He raids and harrasses. ... Intelligence identifies targets and finds out enemy plans and purposes, enemy connections, dispositions, etc. ... The prize is "public opinion" where press is concerned. The only safe public opinion to head for is they love us and are in a frenzy of hate against the enemy, this means standard wartime propaganda is what one is doing, complete with atrocity, war crimes trials, the lot. Know the mores of your public opinion, what they hate. That's the enemy. What they love. That's you. You preserve the image or increase it of your own troops and degrade the image of the enemy to beast level. ... Wars are composed of many battles. Never treat a war like a skirmish. Treat all skirmishes like wars.

12. I write this because being warred upon as a Suppressive Person, important enough for Scientology to not stop targeting me in over twenty-two years, as the organization's appeal and petition testify, affects every part of my life. I am forced to take security precautions that people who are not immediate targets in a war like Scientology's war of total attrition might find incomprehensible, but to me are crucial to life itself. I believe that I have a duty to do what I can, for everyone, to not be obliterated



by Scientology. It is impossible for me to have a normal life, and to work “normally” on the papers I must file with this Court, and it is appellant and petitioner herein, Scientology, that enforces the SP doctrine and generates the threat that precludes normalcy. Pursuant to Scientology’s Suppressive Person Doctrine, and in execution of the Fair Game policy, Scientology’s agents have, among other crimes or torts, assaulted me, run into me bodily with a car, terrorized me on the freeway, threatened to put a bullet between my eyes, staked out my home, framed me with crimes, brought false criminal charges against me, secretly and illegally videotaped me, broke into my car and stole my documents plus irreplaceable artwork, disseminated my confidential psychotherapy records, terrorized me now for twenty-two years, and subjected me to a vicious global black propaganda campaign including to governments at all levels.

13. I leave tomorrow for a trip into the interior which I have had planned for several months and cannot change the time. I also have a trip to Europe and Asia during the first two weeks of November, which was also arranged before Scientology filed its appeal and petition, and which also cannot be changed. This trip is at the request of and arranged by the Russian Orthodox Church, and is an extension of my ministerial and SPDL responsibilities. I am having to spend considerable time preparing for this trip, including the researching and writing of papers to be presented.

14. This is a big case containing approximately 40 volumes in the record on appeal in the related appeal, Scientology v. Armstrong, Appeal No. A075027, incorporated herein by reference, and about 8 volumes in this appeal and writ petition.

15. This is also a gargantuan case monetarily, involving potentially trillions or quadrillions of dollars in value and damages. Scientology seeks this Court’s stamp on its



collection of “liquidated damages” in the amount of \$50,000 per utterance, for every religious expression of my religious beliefs in my ministry. Scientology says in its brief that I acknowledged making over 200 such utterances, for which the organization seeks \$10 million. In reality, I have made tens of thousands of such utterances, a fact which I have sworn to in this case. Additionally, Scientology also insists that the liquidated damages penalty of \$50,000 per utterance applies to each recipient of each utterance. So when I speak at a conference where there are e.g., five hundred attendees, the liquidated damages penalty for expressing my religious beliefs on that occasion would be \$25 million. If on the Internet ten thousand people read this application for an extension, which I will web and post to various Usenet groups or bulletin boards, the liquidated damages penalty would be \$500 million. I estimate that just since founding the Church of Wogs, I have expressed my religious beliefs with fifty thousand utterances to an average of a thousand recipients each, generating “liquidated damages” in the amount of \$2.5 trillion. This is clearly a monster of a claim by Scientology, and a monster of an appeal and writ, and must be given the importance such monstrous claims and sums merit, and I should be given, I believe, all the time in the world to respond to these monstrosities

16. Scientology would be in no way whatsoever prejudiced by granting an extension of time to file my brief and opposition. Scientology states in its petition that “following the hearing in this case in which Superior Judge Lynn Duryee refused to enforce both the prior and new contempt sentences and rendered the liquidated damages provision of the contract unenforceable for future breaches, [I] triumphantly announced to the press that [I] now was free to ignore both the settlement agreement and the

injunction, and that [I] intended to do so.” This is untrue. I have stated in many sworn declarations, and reaffirm here, that I left California in January 1997 and moved to Canada, and from that time until the present I have been free to ignore both the settlement agreement and the injunction, and from that time until the present I have stated repeatedly that I intended to do so. Thus, from early 1997 until now, over more than seven years, nothing regarding my being free to express my religious beliefs, or my expression of those religious beliefs has changed. One or two more months of nothing changing and my continuing to express my religious beliefs will not prejudice Scientology in any way whatsoever. It is clear to me that neither the Marin Superior Court, nor this Court, nor any other court in the U.S., has the legitimate authority to prohibit the free exercise of religion in Canada, or anywhere else in the world, as Scientology is trying to get this Court to do, and this fact has been clear to me, and I have so expressed such religious beliefs to the press and to wogs everywhere ever since moving to Canada, where I am a citizen. It is moreover clear to me that pursuant to the International Religious Freedom Act of 1998, H.R. 2431, this Court has a duty to stop Scientology from doing what it is trying to do, unlawfully using this Court to prohibit my free exercise of my religion and the free expression of my religious experiences, knowledge and beliefs in Canada, in Europe, in Asia and everywhere else in the world. None of the utterances that comprise my religious expression of my religious beliefs for which Scientology wants this California Court of Appeal to punish me for, with a \$50,000 penalty per utterance, and with jailing and fining, occurred in California.

17. Scientology states in its petition: “On June 5, 1997, Judge Thomas issued an order of contempt, finding that Armstrong “willfully disobeyed the Order.” Exs. Tab 8,



[Pg. Nos. 098-100], Order of Contempt. Judge Thomas ordered that Armstrong pay a fine of \$1,000 and be confined in the County Jail for two days. Id. [Pg. No. 100]. Armstrong fled the jurisdiction, and on August 6, 1997, Judge Thomas issued a bench warrant for his arrest. Exs. Tab 9, [Pg. No. 101], Bench Warrant.” This also is simply not true. I left California in January 1997. Scientology got its order of contempt, without service on me of any order to show cause or any other notice, months later.

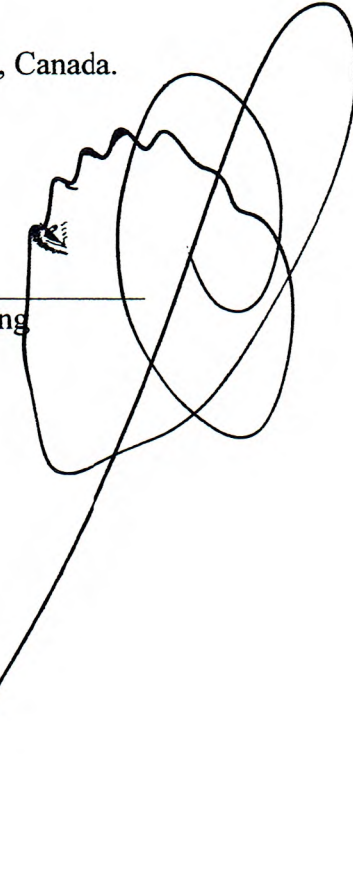
18. As I have also stated many times in sworn declarations, and reaffirm here, what caused me to leave California in January 1997, to move to Canada, and to commence my ignoring of Scientology’s “contract” and the subject injunction, was my discovery at that time, also January 1997, of a section of Scientology’s IRS Form 1023 submission on which its 1993 tax exemption is based, and which viciously black PRs me. Black PR or black propaganda is Scientology’s term for its policy, practice and product of destroying a “Suppressive Person’s” reputation, credibility and life with the willful, organized, relentless and widespread dissemination of false and perverse statements and publications about that SP. This discovery was shocking beyond belief to me, in part because of its disgusting, mendacious content, and in part because Scientology deliberately withheld this document from me in discovery in the Marin Superior Court litigations. This black PR signaled to me that Scientology would stop at nothing, no crime, to silence me, or otherwise dispose of me. This section of black PR from Scientology’s IRS 1023 submission is webbed at:

<http://www.gerryarmstrong.org/50grand/cult/irs/index.html> Since I have from January 1997 until the present been free and considered myself free to ignore both Scientology’s “contract” and the “injunction,” and have during all of these years exercised my freedom

of religion and expressed my religious beliefs, which Scientology seeks to get this Court to stop and to punish me for, Scientology will not be prejudiced in any way by my continuing to so exercise my religious freedom and so express my religious beliefs a few more weeks, months or years.

I declare under penalty of perjury under the laws of California, the U.S.A. and Canada that the foregoing is true and correct.

Executed this 20th day of October 2004 in Chilliwack, B.C., Canada.



\_\_\_\_\_ Gerry Armstrong



## Confirmation Report – Memory Send

Date & Time: Oct-16-2004 01:13pm  
Tel line : +1 604 795 5234  
Machine ID : MAILBOXES ETC 296

Job number : 044  
Date & Time : Oct-16 01:10pm  
To : 14152897110  
Number of pages : 007  
Start time : Oct-16 01:10pm  
End time : Oct-16 01:13pm  
Pages sent : 007  
Status : OK

Job number : 044 \*\*\* SEND SUCCESSFUL \*\*\*

October 15, 2004

Andrew H. Wilson, Esquire  
Wilson Campilongo LLP  
475 Gate 5 Road  
Sausalito, CA 94965  
U.S.A.

By E-Mail: [ahw@WilsonCampilongo.com](mailto:ahw@WilsonCampilongo.com)  
By Fax: 415-289-7110

Re: Scientology v. Armstrong  
Court of Appeal of the State of California  
First Appellate District, Division Four  
Cases No. A107100 and A107095

Dear Mr. Wilson:

This is a request for your stipulation to a thirty day extension to file my respondent's brief and answer to your writ petition.

Because of your earlier communications I will outline why I am making this request.

It will not be possible for me to complete and file my papers by October 22.

As you will recall, on September 17 I asked you for sixty days extension, or until November 21, to be able to file these papers. I stated then that there are many reasons or good causes for such extension. You did not ask what they were but responded that you, and presumably David Miscavige, et al., would give me thirty days. Obviously I was right, and I needed sixty days, or until November 21.

Sixty days, I think it's very clear, is a very usual request because of what the California Rules of Court states in Rule 15. Service and filing of briefs:

[Quote]

(b) Extensions of time

October 15, 2004

Andrew H. Wilson, Esquire  
Wilson Campilongo LLP  
475 Gate 5 Road  
Sausalito, CA 94965  
U.S.A.

By E-Mail: [ahw@WilsonCampilongo.com](mailto:ahw@WilsonCampilongo.com)  
By Fax: 415-289-7110

Re: Scientology v. Armstrong  
Court of Appeal of the State of California  
First Appellate District, Division Four  
Cases No. A107100 and A107095

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Because of your earlier communications I will outline why I am making this request.

It will not be possible for me to complete and file my papers by October 22.

As you will recall, on September 17 I asked you for sixty days extension, or until November 21, to be able to file these papers. I stated then that there are many reasons or good causes for such extension. You did not ask what they were but responded that you, and presumably David Miscavige, et al., would give me thirty days. Obviously I was right, and I needed sixty days, or until November 21.

Sixty days, I think it's very clear, is a very usual request because of what the California Rules of Court states in Rule 15. Service and filing of briefs:

[Quote]

(b) Extensions of time



(1) The parties may extend each period under (a) by up to 60 days by filing one or more stipulations in the reviewing court before the brief is due. Stipulations must be signed by and served on all parties. The original signature of at least one party must appear on the stipulation filed in the reviewing court; the signatures of the other parties may be in the form of facsimile copies of the signed signature page of the stipulation. A stipulation is effective on filing. The reviewing court may not shorten a stipulated extension.

[End Quote]

It is ridiculous and wrong for me to have to request the Court of Appeal for a thirty day extension that you can stipulate to. That is not to say that everything else you and your client have done in this case is not ridiculous and wrong, but this would be, and everything else is not now under consideration.

As you know, I am not a lawyer, and as I've stated many times and is, I believe, obvious, it is neither easy nor quick for me to generate the responses to the legal attacks of you and your client. You and your client can and will say any old thing, but I am and must be very precise in what I write, and my words must be measured. Living as I have had to these past thirteen or so years with a \$50,000 price tag on practically every utterance, naturally I watch very closely. Your client, of course, has a horde of people like yourself to generate the legal attacks, and I have but, as you note in your opening brief and petition, God on my side.

My other ministerial duties, as you know, are vital and extremely time consuming, and the demand of these duties on my time has not decreased at all while I have also been forced to prepare my papers in response to your latest attacks by your brief and petition. In fact, the demand of these duties on my time has increased dramatically over the past month or more, as a direct result of your client's activities. I accept that a percentage of the communicants who approach me for ministration may be covert Scientology ops, but ministering to them takes just as much time as ministering to true communicants. It is, of course, the unlawful goal of your client, and even yourself, to prevent me from performing my ministerial duties altogether.

I have had a trip into the B.C. interior planned for next week for several months and cannot change the time. I also have a trip to Europe and Asia



over the two weeks following, which was also arranged before your appeal and petition were filed, and which also cannot be changed.

Your client is in no way prejudiced by agreeing to stipulate to the thirty day extension I am seeking.

Although you state in your writ petition that “following the hearing in this case in which Superior Judge Lynn Duryee refused to enforce both the prior and new contempt sentences and rendered the liquidated damages provision of the contract unenforceable for future breaches, [I] triumphantly announced to the press that [I] now was free to ignore both the settlement agreement and the injunction, and that [I] intended to do so,” this is simply untrue. The turning point for me, which I’ve stated many times in sworn declarations, which have been served on you, was when I left California in January 1997 and moved to Canada. From that time until the present I have been free to ignore both the settlement agreement and the injunction, and from that time until the present I have stated repeatedly that I intended to do so. Thus, from early 1997 until now nothing regarding my being free to express my religious beliefs, or my expression of those religious beliefs has changed. One more month of nothing changing will not prejudice your client in any way whatsoever.

As I have also stated many times in sworn declarations, what caused me to leave California in January 1997, to move to Canada, and to commence my ignoring of your client’s “contract” and the Thomas injunction, was my discovery at that time of a section of Scientology’s IRS Form 1023 submission on which the cult’s 1993 tax exemption is based, and which viciously black PRs me. This discovery was shocking beyond belief to me, in part because of its disgusting, mendacious content, and in part because you and your client deliberately withheld this document from me in discovery in the Armstrong II through IV litigations. This black PR signaled to me that Miscavige, et al. would stop at nothing, no crime, to silence me, or otherwise dispose of me. This section of black PR from the 1023 response is webbed at:

<http://www.gerryarmstrong.org/50grand/cult/irs/index.html>

Your statements, which you have made in many papers filed in various legal proceedings, that I left California after being found in contempt, or to avoid being jailed, are simply lies. You know that you are lying, and you repeat your lie in your brief and petition:



“Neither the Agreement nor Judge Thomas' order and judgment dissuaded Armstrong from his contumacious breaches, and his flight to Canada afforded him the opportunity to avoid jail and continue his simultaneous contractual breaches and violations of the permanent injunction.”

“On June 5, 1997, Judge Thomas issued an order of contempt, finding that Armstrong "willfully disobeyed the Order." Exs. Tab 8, [Pg. Nos. 098-100], Order of Contempt. Judge Thomas ordered that Armstrong pay a fine of \$1,000 and be confined in the County Jail for two days. Id. [Pg. No. 100]. Armstrong fled the jurisdiction, and on August 6, 1997, Judge Thomas issued a bench warrant for his arrest. Exs. Tab 9, [Pg. No. 101], Bench Warrant.”

As you well know, I left the subject jurisdiction in January 1997. You obtained your order of contempt, without service on me of your order to show cause, months later.

This past week I obtained and webbed another section of the same Form 1023 response your client filed with the IRS to obtain its tax exemption. <http://www.gerryarmstrong.org/50grand/cult/irs/csi-prod-1993-11-04-152016-152073.pdf>

This new (to me) section also contains pages of shocking, lying black PR on me, and also was not produced to me during the litigation before Judge Thomas. For the moment, I will only deal with this one sentence from this black PR submission:

“The exception is Armstrong who we truly believe to be psychotic.”

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Scientology's declaration to the IRS, and I believe to millions of other people around the world, that I am psychotic, is particularly meaningful, and dangerous, and damaging, and requires the kind of massive, global communications that I have originated, because of the cult's other and also global claims that it is uniquely and professionally qualified to make such a pronouncement. E.g., "As organizations we are the only people on Earth today who can say with any security whether or not man is sane."  
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Please advise me immediately if you and your client will stipulate to an extension of thirty days for me to file my responsive papers.

I will also fax this letter, and a stipulation for you to sign and fax back.

Yours sincerely,

/

/



Gerry Armstrong  
#1-45950 Alexander Avenue  
Chilliwack, B.C. V2P 1L5  
Canada  
604-703-1373  
[gerry@gerryarmstrong.org](mailto:gerry@gerryarmstrong.org)

Please fax signed stipulation to 604-795-5234.



**PROOF OF SERVICE**

I am employed in the Province of British Columbia, Canada. I am over the age of eighteen years and am not a party to the above-entitled action. My business address is #1-45950 Alexander Avenue, Chilliwack, B.C. V2P 1L5.

On October 20, 2004, I served the following document:

**APPLICATION FOR EXTENSION OF TIME TO FILE  
RESPONDENT'S BRIEF AND TO FILE OPPOSITION TO  
PETITION FOR WRIT OF CERTIORARI OR, IN THE  
ALTERNATIVE, WRIT OF MANDATE**

on the following person(s) on the date set forth below, by delivering a true copy thereof enclosed in a sealed envelope to the addressees below:

- ☐ (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the Canadian mail at Chilliwack, B.C., Canada.
- ☒ (By Federal Express or Overnight courier)
- ☐ (Personal) I caused said papers to be personally served on the office of counsel.


Andrew H. Wilson, Esq.  
Wilson Campilongo LLP  
475 Gate 5 Road  
Sausalito, CA 94965  
U.S.A.

Marin County Superior Court  
Hon. Lynn Duryee  
3501 Civic Center Drive  
San Rafael, CA 94913  
U.S.A.

- ☒ (State) I declare under penalty of perjury under the laws of Canada and the State of California that the above is true and correct.

Executed on October 20, 2004 at Chilliwack, B.C., Canada

Caroline Letkeman

  
(Signature)



## Confirmation Report - Memory Send

Date & Time: Oct-16-2004 01:13pm  
Tel line : +1 604 795 5234  
Machine ID : MAILBOXES ETC 296

Job number : 044  
Date & Time : Oct-16 01:10pm  
To : 14152897110  
Number of pages : 007  
Start time : Oct-16 01:10pm  
End time : Oct-16 01:13pm  
Pages sent : 007  
Status : OK

Job number : 044 \*\*\* SEND SUCCESSFUL \*\*\*

October 15, 2004

Andrew H. Wilson, Esquire  
Wilson Campilongo LLP  
475 Gate 5 Road  
Sausalito, CA 94965  
U.S.A.

By E-Mail: [ahw@WilsonCampilongo.com](mailto:ahw@WilsonCampilongo.com)  
By Fax: 415-289-7110

Re: Scientology v. Armstrong  
Court of Appeal of the State of California  
First Appellate District, Division Four  
Cases No. A107100 and A107095

Dear Mr. Wilson:

This is a request for your stipulation to a thirty day extension to file my respondent's brief and answer to your writ petition.

Because of your earlier communications I will outline why I am making this request.

It will not be possible for me to complete and file my papers by October 22.

As you will recall, on September 17 I asked you for sixty days extension, or until November 21, to be able to file these papers. I stated then that there are many reasons or good causes for such extension. You did not ask what they were but responded that you, and presumably David Miscavige, et al., would give me thirty days. Obviously I was right, and I needed sixty days, or until November 21.

Sixty days, I think it's very clear, is a very usual request because of what the California Rules of Court states in Rule 15. Service and filing of briefs:

[Quote]

(b) Extensions of time



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**CUSTOMER (please print)**

EMAIL

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GERRY ARMSTRONG

DATE

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STREET

#1-45950 ALEXANDER AV.

PHONE

604-703-1373

CITY/PROV./POSTAL CODE

CHILLIWACK, B.C V2P 1L5

DAYTIME PHONE

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	NAME								Amt.	Type
A	CALIFORNIA COURT OF APPEAL	DOC S	\$	\$				<input type="checkbox"/> Overnight		FRT
	FIRST APP. DIST., DIV 4		<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PACKED BY CUSTOMER	<input type="checkbox"/> Overnight			<input type="checkbox"/> 2-Day Air		DEC VAL
	STREET		<input type="checkbox"/> COMMERCIAL		<input type="checkbox"/> 2-Day Air			<input type="checkbox"/> Ground		SAT DEL
	350 McALLISTER ST.		BREAKABLE	REPLACEABLE	<input type="checkbox"/> Ground					ADD'L
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B	NAME		\$	\$				<input type="checkbox"/> Overnight		FRT
	ANDREW H. WILSON, ESQ	DOCS	<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PACKED BY CUSTOMER	<input type="checkbox"/> Overnight			<input type="checkbox"/> 2-Day Air		DEC VAL
	WILSON CAMPILONG LLP		<input type="checkbox"/> COMMERCIAL		<input type="checkbox"/> 2-Day Air			<input type="checkbox"/> Ground		SAT DEL
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	475 GATE 5 RD #		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO						EAS
	CITY/PROV./POSTAL CODE	TELEPHONE:	<input type="checkbox"/> NEW <input type="checkbox"/> USED							
	SAN SALITO, CA 94965									
	<input type="checkbox"/> CANPAR <input checked="" type="checkbox"/> FED EX <input type="checkbox"/> UPS <input type="checkbox"/> OTHER									
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(C) TRACKING I.D. # HERE

CUSTOMER'S SIGNATURE

I certify that I agree to the terms contained herein, and that the stated contents and their value for each package listed are truthful and complete.

SIGN HERE X

For parcel tracking or claims call:

SUBTOTAL	
MATERIALS	
LABOUR	
GST/HST	
PST	
TOTAL CHARGES	



October 15, 2004

Andrew H. Wilson, Esquire  
Wilson Campilongo LLP  
475 Gate 5 Road  
Sausalito, CA 94965  
U.S.A.

By E-Mail: [ahw@WilsonCampilongo.com](mailto:ahw@WilsonCampilongo.com)  
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Re: Scientology v. Armstrong  
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First Appellate District, Division Four  
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Sixty days, I think it's very clear, is a very usual request because of what the California Rules of Court states in Rule 15. Service and filing of briefs:

[Quote]

(b) Extensions of time

(1) The parties may extend each period under (a) by up to 60 days by filing one or more stipulations in the reviewing court before the brief is due. Stipulations must be signed by and served on all parties. The original signature of at least one party must appear on the stipulation filed in the reviewing court; the signatures of the other parties may be in the form of facsimile copies of the signed signature page of the stipulation. A stipulation is effective on filing. The reviewing court may not shorten a stipulated extension.

[End Quote]

It is ridiculous and wrong for me to have to request the Court of Appeal for a thirty day extension that you can stipulate to. That is not to say that everything else you and your client have done in this case is not ridiculous and wrong, but this would be, and everything else is not now under consideration.

As you know, I am not a lawyer, and as I've stated many times and is, I believe, obvious, it is neither easy nor quick for me to generate the responses to the legal attacks of you and your client. You and your client can and will say any old thing, but I am and must be very precise in what I write, and my words must be measured. Living as I have had to these past thirteen or so years with a \$50,000 price tag on practically every utterance, naturally I watch very closely. Your client, of course, has a horde of people like yourself to generate the legal attacks, and I have but, as you note in your opening brief and petition, God on my side.

My other ministerial duties, as you know, are vital and extremely time consuming, and the demand of these duties on my time has not decreased at all while I have also been forced to prepare my papers in response to your latest attacks by your brief and petition. In fact, the demand of these duties on my time has increased dramatically over the past month or more, as a direct result of your client's activities. I accept that a percentage of the communicants who approach me for ministration may be covert Scientology ops, but ministering to them takes just as much time as ministering to true communicants. It is, of course, the unlawful goal of your client, and even yourself, to prevent me from performing my ministerial duties altogether.

I have had a trip into the B.C. interior planned for next week for several months and cannot change the time. I also have a trip to Europe and Asia



over the two weeks following, which was also arranged before your appeal and petition were filed, and which also cannot be changed.

Your client is in no way prejudiced by agreeing to stipulate to the thirty day extension I am seeking.

Although you state in your writ petition that “following the hearing in this case in which Superior Judge Lynn Duryee refused to enforce both the prior and new contempt sentences and rendered the liquidated damages provision of the contract unenforceable for future breaches, [I] triumphantly announced to the press that [I] now was free to ignore both the settlement agreement and the injunction, and that [I] intended to do so,” this is simply untrue. The turning point for me, which I’ve stated many times in sworn declarations, which have been served on you, was when I left California in January 1997 and moved to Canada. From that time until the present I have been free to ignore both the settlement agreement and the injunction, and from that time until the present I have stated repeatedly that I intended to do so. Thus, from early 1997 until now nothing regarding my being free to express my religious beliefs, or my expression of those religious beliefs has changed. One more month of nothing changing will not prejudice your client in any way whatsoever.

As I have also stated many times in sworn declarations, what caused me to leave California in January 1997, to move to Canada, and to commence my ignoring of your client’s “contract” and the Thomas injunction, was my discovery at that time of a section of Scientology’s IRS Form 1023 submission on which the cult’s 1993 tax exemption is based, and which viciously black PRs me. This discovery was shocking beyond belief to me, in part because of its disgusting, mendacious content, and in part because you and your client deliberately withheld this document from me in discovery in the Armstrong II through IV litigations. This black PR signaled to me that Miscavige, et al. would stop at nothing, no crime, to silence me, or otherwise dispose of me. This section of black PR from the 1023 response is webbed at:

<http://www.gerryarmstrong.org/50grand/cult/irs/index.html>

Your statements, which you have made in many papers filed in various legal proceedings, that I left California after being found in contempt, or to avoid being jailed, are simply lies. You know that you are lying, and you repeat your lie in your brief and petition:



“Neither the Agreement nor Judge Thomas' order and judgment dissuaded Armstrong from his contumacious breaches, and his flight to Canada afforded him the opportunity to avoid jail and continue his simultaneous contractual breaches and violations of the permanent injunction.”

“On June 5, 1997, Judge Thomas issued an order of contempt, finding that Armstrong "willfully disobeyed the Order." Exs. Tab 8, [Pg. Nos. 098-100], Order of Contempt. Judge Thomas ordered that Armstrong pay a fine of \$1,000 and be confined in the County Jail for two days. Id. [Pg. No. 100]. Armstrong fled the jurisdiction, and on August 6, 1997, Judge Thomas issued a bench warrant for his arrest. Exs. Tab 9, [Pg. No. 101], Bench Warrant.”

As you well know, I left the subject jurisdiction in January 1997. You obtained your order of contempt, without service on me of your order to show cause, months later.

This past week I obtained and webbed another section of the same Form 1023 response your client filed with the IRS to obtain its tax exemption. <http://www.gerryarmstrong.org/50grand/cult/irs/csi-prod-1993-11-04-152016-152073.pdf>

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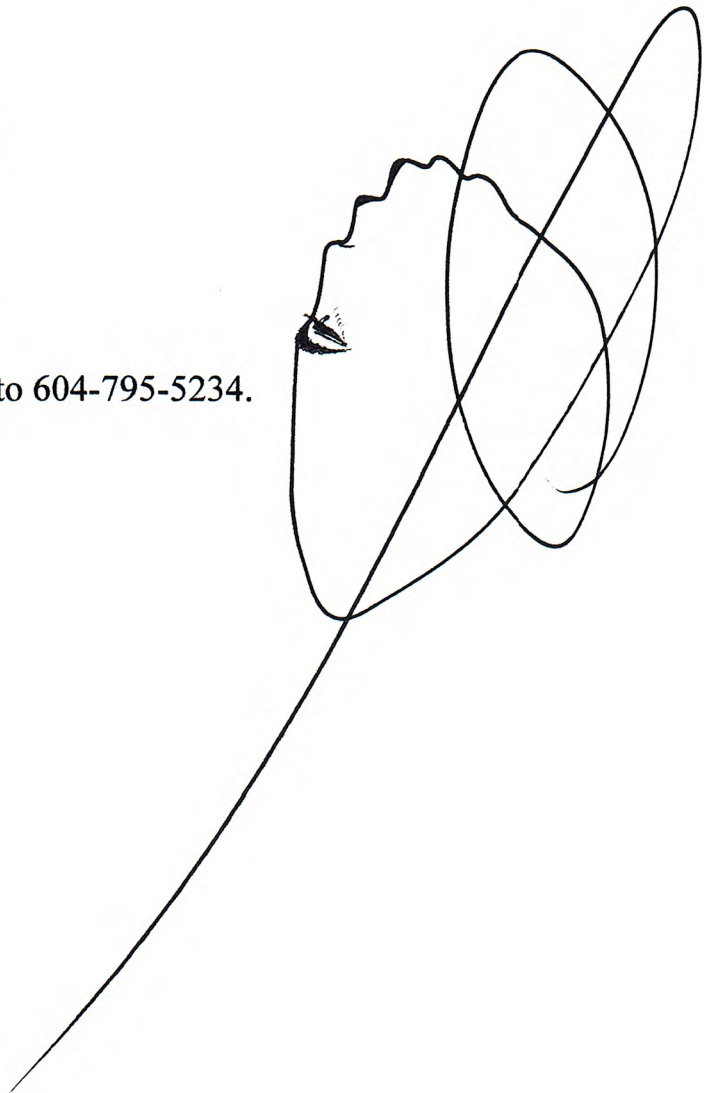
Yours sincerely,

/

/

Gerry Armstrong  
#1-45950 Alexander Avenue  
Chilliwack, B.C. V2P 1L5  
Canada  
604-703-1373  
[gerry@gerryarmstrong.org](mailto:gerry@gerryarmstrong.org)

Please fax signed stipulation to 604-795-5234.





## STIPULATION

It is hereby stipulated between Andrew H. Wilson, attorney for appellant and petitioner Church of Scientology International, and Gerry Armstrong, respondent, that the time for respondent to file his respondent's brief in Case No. A107100 and to file his opposition in Case No. A107095, shall be extended thirty days until November 21, 2004.

Dated \_\_\_\_\_

Signed: \_\_\_\_\_

Andrew H. Wilson

For Church of Scientology International

Dated \_\_\_\_\_

Signed: \_\_\_\_\_

Gerry Armstrong